

12.8
Hoy White / RCRA



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 10

1200 Sixth Avenue
Seattle, Washington 98101

RECEIVED

JAN 24 1994

Department of Ecology
Industrial Section

Reply to
Attn. of: W-104

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Mr. Brian Jones
Environmental Superintendent
ITT Rayonier, Inc. PAD
P.O. Box 191
Port Angeles, Washington 98390

Re: Notice of Violation and Warning
ITT Rayonier, Inc., Port Angeles, Washington
EPA ID # WAD 00049 0169

Dear Mr. Jones:

This Notice of Violation and Warning (hereinafter "Notice") is being issued to your facility based on 1) findings from a multi-media inspection conducted between February 2 and February 10, 1993, by representatives of the United States Environmental Protection Agency (EPA) and 2) the Washington Department of Ecology's (WDOE) warning letter (November 16, 1993). The inspection was performed to determine whether activities at the facility were in compliance with hazardous waste management regulations adopted by EPA under the Resource Conservation and Recovery Act (RCRA). The Washington Department of Ecology has its own Land Disposal Restrictions (LDR) requirements in its own regulations, but it has not yet been authorized by EPA to administer the LDR regulations pursuant to RCRA, as amended by The Hazardous and Solid Waste Amendments of 1984 (HSWA). As such, EPA remains responsible for administration and enforcement of LDR requirements in the State of Washington. At the time of this inspection, the following was observed:

1. Six LDR notifications for manifests numbered 03506, 24080, 28021, 51611, 68976, and 92002 were incomplete. Missing information included: treatment standards, EPA hazardous waste number, treatment codes, and applicable 40 CFR section and paragraph. These are violations of 40 CFR 268.7(a)(1).
2. Three LDR notifications for manifests numbered 31686, 87297, and 95870 subject to the national capacity variance did not include the following information: treatment standards and the date waste becomes subject to the prohibitions. These are violations of 40 CFR 268.7(a)(3).

111222

USEPA SF



1068093



Printed on Recycled Paper

3. Copies of four LDR notifications for manifests numbered 31216, 42841, 65617, and 90641083 were not retained on-site for the required 5 years. These are violations of 40 CFR 268.7(a)(7).

To address these matters fully, ITT Rayonier, Inc. must submit to EPA within 30 days of receipt of this Notice written documentation describing the measures that the facility will take to come into compliance with these LDR regulations and the time frame for completing such action.

This documentation should be sent to:

Michael F. Gearheard, Chief
Waste Management Branch
U.S. EPA Region 10, HW-102
1200 Sixth Avenue
Seattle WA 98101

Failure to submit the requested documentation within the time period specified may subject ITT Rayonier, Inc. to enforcement action under Section 3008 of RCRA [42 U.S.C. 6928]. Such enforcement action could include the assessment of civil penalties of up to \$25,000 per day of noncompliance.

Should you or the company find at any time after submission of the requested documentation that any part of that documentation is false or otherwise incorrect, you or the company should immediately notify EPA and the Washington Department of Ecology. Failure to do so may subject you and ITT Rayonier, Inc. to enforcement action under Section 3008(d) of RCRA [42 U.S.C. 6928(d)].


EPA Reservation of Rights

Notwithstanding this Notice or ITT Rayonier's response, EPA reserves the right to take any action pursuant to RCRA, the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (CERCLA), or any other applicable legal authority, including without limitation, the right to seek injunctive relief, implementation of response actions or corrective measures, cost recovery, monetary penalties, and punitive damages. ITT Rayonier's response to this Notice does not constitute compliance with RCRA.

Nothing in this Notice or ITT Rayonier's response shall affect ITT Rayonier's duties, obligations, or responsibilities with respect to the Facility under local, state, or federal law or regulation.

If you have any questions regarding this Notice, please call Tom Post of my staff at (206) 553-1604.

Sincerely,

A handwritten signature in dark ink, appearing to read "Randall F. Smith". The signature is written in a cursive, slightly stylized font.

Randall F. Smith, Director
Hazardous Waste Division

✓ cc: Don Nelson, WDOE Industrial Section